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in Chambers of:  
U.S. District Judge  
DORA L. IRIZARRY

OCT 15 2007

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U.S. DISTRICT COURT E.D.N.Y.  
OCT 22 2007

MEMORANDUM  
TO THE HONORABLE DORA L. IRIZARRY  
UNITED STATES DISTRICT JUDGE

P.M.  
THE A.M.

RE: HORICIANU, Florin  
DOCKET NO.: 07-CR-203  
COMMUNICATION FROM OFFENDER

Reference is made to the above-captioned offender who was sentenced by Your Honor on September 25, 2007 for violating four conditions of his supervised release and was sentenced to a one year and one day period of incarceration followed by a two year term of supervised release. The purpose of this memorandum is to apprise the Court that the U.S. Probation Department for the District of California advised the undersigned officer on the marginal date that the Threat Mitigation Executive Protection Department for eBay, specifically John Endert, reported the transmission of an electronic mail (e-mail) by the offender. Attached is a copy of the e-mail dated September 28, 2007, sent to eBay founder, Pierre Omidyar, the same date the offender self-surrendered to the United States Marshal's Service.

The undersigned officer has contacted Mr. Endert to verify the offender's sentence on the violation and hence his current incarceration. Also, Mr. Endert was assured that those special conditions relating to the offender's restricted contact with eBay during his next term of supervised release were reinforced by Your Honor.

Respectfully Submitted,

Tony Garoppolo  
Chief U.S. Probation Officer

Prepared By:

*Jeanine Manno*

Jeanine Manno  
U.S. Probation Officer

Approved By:

*Nella Yelenovic*

Nella Yelenovic  
Supervising U.S. Probation Officer

October 10, 2007

cc: AUSA Daniel Spector  
Florian Miedel, Esq.

S/DII

*Hon. Dora L. Irizarry*  
United States District Judge  
Eastern District of New York

*A status conference  
will be held to  
address this issue  
on November 6, 2007  
at 10:30 a.m.*

*So Ordered.  
Dated: Brooklyn, NY  
October 19, 2007*